

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

NOT FOR PUBLICATION

X

JERRELL MILLER,

Plaintiff,

-against-

PAROLE OFFICER P. ALVAREZ,

Defendant.

X

AMON, J.

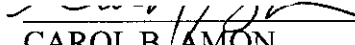
On November 14, 2005, plaintiff filed a complaint in this Court against parole officer P. Alvarez, alleging that the defendant violated his civil rights. By order dated December 29, 2005 (the "December Order"), this Court dismissed plaintiff's complaint for failure to state a claim upon which relief may be granted. Miller v. Alvarez, No. 05-CV-5491 (CBA), slip op. at 3 (E.D.N.Y. Dec. 29, 2005). While his action was pending in this Court, however, plaintiff filed a duplicate complaint against the same defendant on December 19, 2005 in the Long Island Office of the United States District Court for the Eastern District of New York. The matter was forwarded to this Court during resolution of plaintiff's prior action, assigned a new docket number, and it is now before me.

The instant action is dismissed for the reasons articulated in the December Order. See id. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of any appeal. Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated:

January 25, 06
Brooklyn, New York


CAROL B. AMON
United States District Judge